

STREET VACATION 7/20/70
GROVE STREET from Hansen Rd. to West
line of M.N. & S. R.R.

February 12, 1971

Mr. Thomas S. Erickson
2400 First National Bank Bldg.
Minneapolis, Minn. 55402

Dear Tom:

Enclosed herewith are the resolutions adopted by the Council relative to the vacation of a portion of Grove Street.

If the form of resolutions are acceptable, will you please see that this document is filed?

Yours very truly,

Village Clerk

enclosures

RESOLUTIONS VACATING A PORTION OF
GROVE STREET

WHEREAS, two weeks' published, posted and mailed notice of a Hearing to be held on July 20, 1970, at 7:00 p.m., on the proposed street vacation hereinafter described has been given and made and a Hearing has been held thereon by the Village Council;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Edina, Hennepin County, Minnesota, that the following described portion of Grove Street, all as platted and of record in the office of the Registrar of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective September 21, 1970, unless on or before said date this resolution is amended, annulled or rescinded by the Village Council:

Grove Street from Hanson Road to the West line of the
Minneapolis, Northfield and Southern Railroad.

ADOPTED this 20th day of July, 1970.

RESOLUTION

BE IT RESOLVED that the effective date of the vacation of Grove Street from Hanson Road to the West line of the M.N. & S. Railroad as established by Council resolution on July 20, 1970, is hereby extended from September 21, 1970, to October 19, 1970.

ADOPTED this 21st day of September, 1970.

RESOLUTION

BE IT RESOLVED that the effective date of the vacation of Grove Street from Hanson Road to the West line of the M.N. & S. Railroad as established by Council resolution on July 20, 1970, and amended on September 21, 1970, is hereby extended to December 22, 1970.

ADOPTED this 19th day of October, 1970.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
VILLAGE OF EDINA)

COMMITTEE OF VILLAGE CLERK

I, the undersigned duly appointed and acting Village Clerk for the Village of Edina, do hereby certify that the attached and foregoing resolutions were duly adopted by the Edina Village Council at its Regular Meetings held July 20, 1970, September 21, 1970 and October 19, 1970, and as recorded in the Minutes of said Regular Meeting and that the resolution of October 19, 1970, has not been annulled, amended or rescinded since that date by the Edina Village Council.

WITNESS my hand and seal of said Village this 11th day of February, 1971.

Village Clerk

3872066



Village of Edina

4801 WEST FIFTIETH STREET • EDINA, MINNESOTA 55424

927-8861

RESOLUTIONS VACATING A PORTION OF GROVE STREET

WHEREAS, two weeks' published, posted and mailed notice of a Hearing to be held on July 20, 1970, at 7:00 p.m., on the proposed street vacation hereinafter described has been given and made and a Hearing has been held thereon by the Village Council;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Edina, Hennepin County, Minnesota, that the following described portion of Grove Street, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective September 21, 1970, unless on or before said date this

OFFICE OF REGISTER OF DEEDS
STATE OF MINNESOTA

COUNTY OF HENNEPIN

I hereby certify that the within instrument

was filed for record in this office on the

23 day of FEB A.D. 1971 at 5:10

o'clock P.M., and was duly recorded in book

722 of Hennepin County Records

page 3872066

ACTING REGISTER OF DEEDS

BY *J. J. Jackson*
DEPUTY REGISTER OF DEEDS

FEB 23 1971 2 0 6 6 S 002.001A

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15E with

MINNEAPOLIS GAS COMPANY

MINNEAPOLIS, MINNESOTA 55402

July 15, 1970

Mr Leo Smiler
Minneapolis, Northfield and Southern Railroad
911 Hennepin Avenue
Minneapolis, Minnesota 55403

Dear Mr Smiler

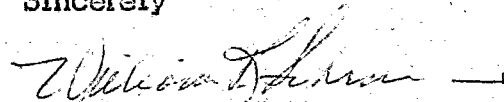
We have been notified by the Edina Village Council of the proposed vacation of the South 33 feet of Grove Street as platted, lying between the West line of Hansen Road and a line parallel to and 10 feet Westerly of the West right-of-way line of the Minneapolis, Northfield and Southern Railroad.

Since Minnegasco has a 6" gas main in this portion of Grove Street, we have objected to its vacation unless a suitable easement is granted us.

I have enclosed an easement in favor of Minnegasco which will protect our rights in this portion of the vacated street. Attached to the easement is a sketch showing the easement area colored red which is adjacent to the property you now own. If you will have the original of the easement fully executed and notarized, and return to me, we will withdraw our objection to this vacation. You may retain the copy of the easement for your records.

If you have any questions, please call me at 372-5081. Thank you for your cooperation.

Sincerely



William R Schram
Operations Planning Department

/co

Enclosure

CC: Mrs Florence B Hallberg, Village Clerk ✓

MINNEAPOLIS GAS COMPANY

MINNEAPOLIS, MINNESOTA 55402

July 15, 1970

Mr Christian R Ries
5800 Hansen Road
Edina, Minnesota 55436

Dear Mr Ries

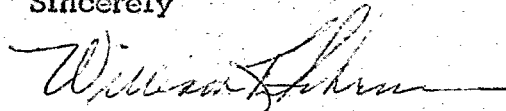
We have been notified by the Edina Village Council of the proposed vacation of the South 33 feet of Grove Street as platted, lying between the West line of Hansen Road and a line parallel to and 10 feet Westerly of the West right-of-way line of the Minneapolis, Northfield and Southern Railroad.

Since Minnegasco has a 6" gas main in this portion of Grove Street, we have objected to its vacation unless a suitable easement is granted us.

I have enclosed an easement in favor of Minnegasco which will protect our rights in this portion of the vacated Street. Attached to the easement is a sketch showing the easement area colored red which is adjacent to the property you now own. If you will have the original of the easement fully executed and notarized and return to me, we will withdraw our objection to this vacation. You may retain the copy of the easement for your records.

If you have any questions, please call me at 372-5081. Thank you for your cooperation.

Sincerely



William R Schram
Operations Planning Department

/co

Enclosure

CC: Mrs Florence B Hallberg, Village Clerk ✓

MINNEAPOLIS GAS COMPANY

MINNEAPOLIS, MINNESOTA 55402

July 8, 1970

Mrs Florence B Hallberg
Village Clerk
Village of Edina
4801 W 50th Street
Edina, Minnesota 55424

Dear Mrs Hallberg

In regard to the proposed vacation of portions of Grove Street described as follows:

The North 27' of Grove Street as platted from the West line of Hansen Road to the East right-of-way line of the Minneapolis, Northfield and Southern Railroad; and

The South 33' of Grove Street as platted, lying between the West line of Hansen Road and a line parallel to and 10' Westerly of the West right-of-way line of the Minneapolis, Northfield and Southern Railroad.

I have enclosed a sketch showing the location of our 6" gas main in the South 33 feet of Grove Street as above described. We, therefore, object to the vacation of this portion of the street unless suitable easements are granted Minnegasco by the succeeding property owners. When the executed easements have been received by us, we will withdraw our objection to this proposed vacation. We are now preparing the necessary easements.

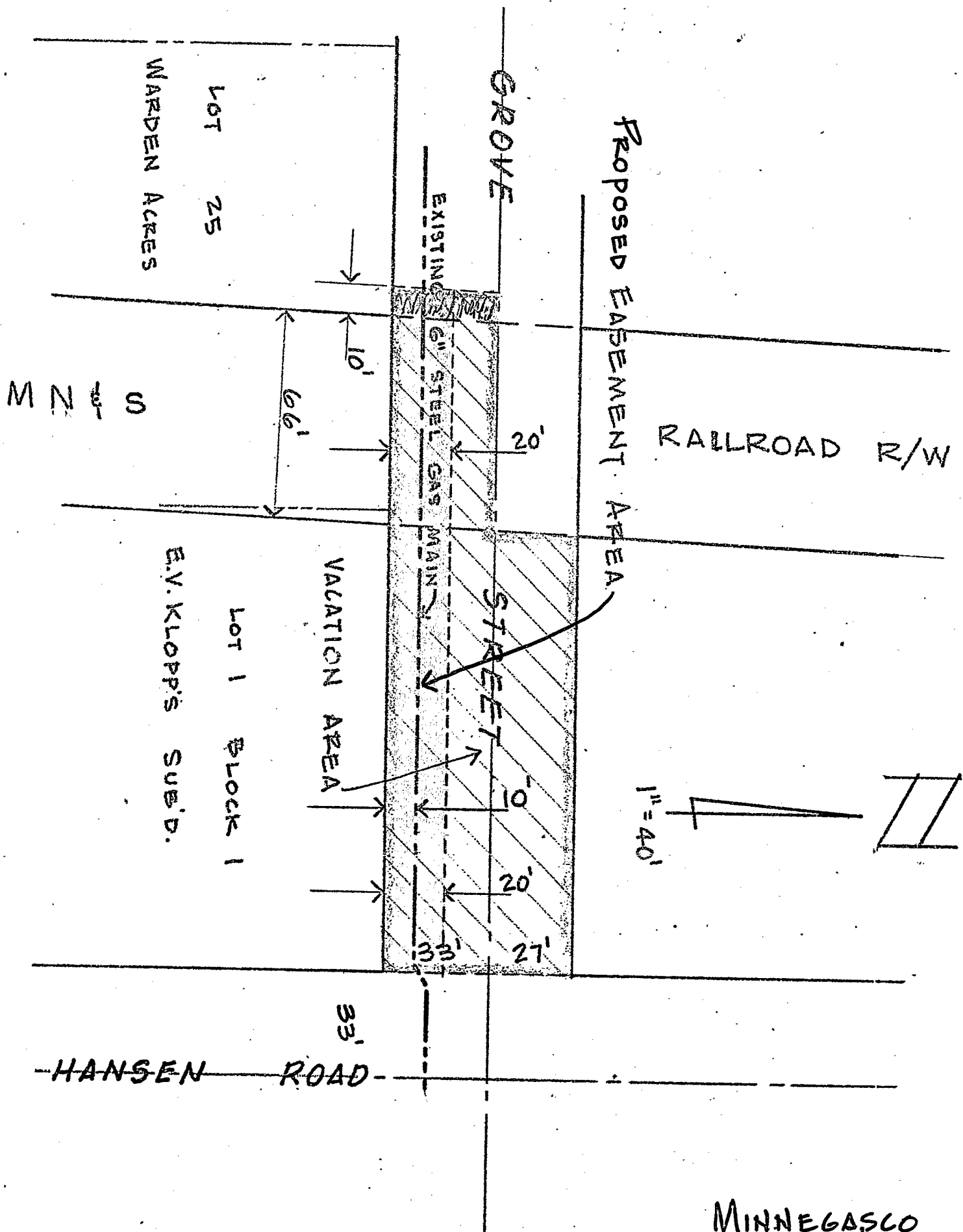
Since we have no facilities in the North 27 feet of Grove Street as above described, we have no objection to its vacation.

Sincerely



William R Schram
Operations Planning Department

/co



MINNEGASCO
1-8-10

SPEED LETTER®

TO Adam Batko FROM Florence Hallberg

SUBJECT Street Vacations and closings

—FOLD

MESSAGE

DATE August 24 19 68

Adam - The following streets have been vacated since November 6, 1967:

Brookside Ave. North of Vernon Avenue - 11/6/67

Arbour Avenue North of W. 62nd Street - 2/5/68

Mildred Avenue in Genevieve Addition - 2/13/68 (See survey in my office)

Spruce Road - Adjacent to 6205 Spruce Rd. - 7/15/68 (See survey in my office)

W. 65th Street between Sherwood Ave. and T.H. 100 S

~~Collected within the limited area of August 1, 1968~~

REPLY

DATE _____ 19 _____

—FOLD—

SIGNED _____

GrayLine

"SNAP-A-WAY" FORM 44-902 3-PARTS

WILSON JONES COMPANY • © 1961 • PRINTED IN U.S.A.

SNAP-A-WAY AND RETAIN YELLOW COPY. SEND WHITE AND PINK COPIES WITH CARBON INTACT



NORTHERN STATES POWER COMPANY

August 4, 1970

Mrs. Florence B. Hallberg, Village Clerk
Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

Dear Mrs. Hallberg:

This is in reference to the vacation of that part
of Grove Street described as follows:

The North 27' of Grove Street as
platted from the West line of
Hansen Road to the East right of
way line of the Minneapolis,
Northfield and Southern Railroad; and

The South 33' of Grove Street as
platted, lying between the West
line of Hansen Road and the Easterly
right of way line of the Minneapolis,
Northfield and Southern Railroad.

Northern States Power Company has made satisfactory
arrangements with the adjoining property owners to retain
rights on said vacated street. We, therefore, have no
objections to the vacation of said street.

Yours truly,

W.F. Laidlaw
Distribution Superintendent
Minneapolis Division

By George C. Lewis
George C. Lewis
Senior Right of Way Agent

WFL/GCL/mma

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING TO VACATE PORTION
OF GROVE STREET

EDINA VILLAGE COUNCIL will meet Monday, July 20, 1970, at 7:00 p.m. in the Edina Village Hall, and will at said time and place consider the proposed vacation of that portion of Grove Street described as follows:

~~The North 27' of Grove Street as platted from the West line of Hansen Road to the East right-of-way line of the Minneapolis, Northfield and Southern Railroad; and~~

~~The South 33' of Grove Street as platted, lying between the West line of Hansen Road and a line parallel to and 10' Westerly of the West right-of-way line of the Minneapolis, Northfield and Southern Railroad.~~

All objections and recommendations will be heard at said meeting.

BY ORDER OF THE VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk

From Hansen Rd to the West line of Minneapolis, Northfield and Southern railroad.

*Send Copy of Resolution to
Fred Hum - 1518 Chestnut
also
To Blake at Gas Co.*

(July 2, 1970)—ED-2A-10C

(July 2, 1970)—ED-2A-10C

(July 2, 1970)—ED-2A-10C

(July 2, 1970)—ED-2A-10C

(July 2, 1970)—ED-2A-10C

(July 2, 1970)—ED-2A-10C

(July 2, 1970)---ED-2A-10C

(July 2, 1970)—ED-2A-10C

(July 2, 1970)—ED-2A-10C



AFFIDAVIT OF PUBLICATION



6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin }

SS.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the publisher of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

Notice of hearing

He further states on oath that the printed hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for one successive weeks;

that it was first so published on thur. the 1st day of July 1970.

and was thereafter printed and published on every to and including

the day of 19 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:
abcdefghijklmnopqrstuvwxyz
abcdefghijklmnopqrstuvwxyz

J. R. Ritchay

Subscribed and sworn to before me this 1st day of July 1970.

(Notarial Seal)

Alice J. Nelson, Notary Public, Hennepin County, Minn.

My Commission Expires December 26, 1973

(Official Publication)
VILLAGE OF EDINA
4391 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
TO VACATE PORTION OF GROVE STREET
EDINA VILLAGE COUNCIL will meet
Monday, July 20, 1970, at 7:00 p.m. in the
Edina Village Hall, and will at said time and
place consider the proposed vacation of that
portion of Grove Street described as follows:
The North 27' of Grove Street as platted
from the West line of Hansen Road to the
East right-of-way line of the Minneapolis,
Northfield and Southern Railroad; and
The South 33' of Grove Street as platted,
lying between the West Line of Hansen
Road and a line parallel to and 10' Westerly
of the West right-of-way line of the Minne-
apolis, Northfield and Southern Railroad.
All objections and recommendations will be
heard at said meeting.
BY ORDER OF THE VILLAGE COUNCIL:
FLORENCE B. HALLBERG
Village Clerk
(July 2, 1970)—ED-2A-10C



AFFIDAVIT OF PUBLICATION



6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } SS.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the publisher of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Notice of hearing hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for one successive weeks;

that it was first so published on thurs. the 1st day of July 1970.

and was thereafter printed and published on every _____ to and including _____

the _____ day of _____ 19____ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:
abcdefghijklmnopqrstuvwxyz
abcdefghijklmnopqrstuvwxyz

J. R. Ritchay

Subscribed and sworn to before me this 1st day of July 1970.

(Notarial Seal)

Alice J. Nelson, Notary Public, Hennepin County, Minn.

My Commission Expires December 26, 1973

(Official Publication)
VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
TO VACATE PORTION OF GROVE STREET
EDINA VILLAGE COUNCIL will meet Monday, July 20, 1970, at 7:00 p.m. in the Edina Village Hall, and will at said time and place consider the proposed vacation of that portion of Grove Street described as follows:
The North 27' of Grove Street as platted from the West line of Hansen Road to the East right-of-way line of the Minneapolis, Northfield and Southern Railroad, and The South 33' of Grove Street as platted, lying between the West Line of Hansen Road and a line parallel to and 10' Westerly of the West right-of-way line of the Minneapolis, Northfield and Southern Railroad.
All objections and recommendations will be heard at said meeting.
BY ORDER OF THE VILLAGE COUNCIL:
FLORENCE B. HALLBERG
Village Clerk
(July 2, 1970)—ED-2A-10C

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
VILLAGE OF EDINA)

CERTIFICATE OF
POSTING NOTICE

I, the undersigned duly appointed and acting Police Patrolman for the Village of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have, this date, posted copies of the attached and foregoing

Notice of Public Hearing - Grove St. Vaccine
on three official Village Bulletin Boards, as follows: 1. Village Hall,
4801 W. 50th Street 2. 50th and France Business Area (3922 W. 50th St.)
3. Amundson Avenue Shopping Center.

Dated

7-2-70

Signed

Roger Oliva
Police Patrolman

Signed and sworn to before me, a Notary Public
in and for Hennepin County, Minnesota, this, the
2nd day of July, 1970.

Florence B. Hallberg

FLORENCE B. HALLBERG
Notary Public, Hennepin County, Minn.
My Commission Expires Dec. 31, 1971

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

**NOTICE OF PUBLIC HEARING TO VACATE PORTION
OF GROVE STREET**

EDINA VILLAGE COUNCIL will meet Monday, July 20, 1970, at 7:00 p.m. in the Edina Village Hall, and will at said time and place consider the proposed vacation of that portion of Grove Street described as follows:

The North 27' of Grove Street as platted from the West line of Hansen Road to the East right-of-way line of the Minneapolis, Northfield and Southern Railroad; and

The South 33' of Grove Street as platted, lying between the West line of Hansen Road and a line parallel to and 10' Westerly of the West right-of-way line of the Minneapolis, Northfield and Southern Railroad.

All objections and recommendations will be heard at said meeting.

BY ORDER OF THE VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk



NORTHWESTERN BELL TELEPHONE COMPANY

IOWA—MINNESOTA—NEBRASKA—NORTH DAKOTA—SOUTH DAKOTA

5532 County Road 18 South
Hopkins, Minnesota 55343
July 13, 1970

Edina Village Council
4801 West 50th Street
Edina, Minnesota 55424

RE: Vacation of Grove Street

Attention: Mrs. Florence B. Hallberg

Dear Mrs. Hallberg:

The Northwestern Bell Telephone Company presently has aerial drop wires attached to Northern States Power Company poles located on Grove Street between Hansen Road and the east right-of-way line of the Minneapolis, Northfield, and Southern Railroad.

The telephone Company has no objection to the vacation of the described Street provided a utility easement is granted to maintain our existing plant.

Yours truly,

District Engineer

Geo Soash

938- 366 3

* Geo Lewis
will call me
before ———

7/14

NSP

NORTHERN STATES POWER COMPANY

July 13, 1970

Florence B. Hallberg, Village Clerk
Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

Dear Mrs. Hallberg:

This is to acknowledge receipt of notice of hearing on the proposed vacation of that portion of Grove Street described as follows:

The North 27' of Grove Street as platted from the West line of Hansen Road to the East right-of-way line of the Minneapolis, Northfield and Southern Railroad; and

The South 33' of Grove Street as platted, lying between the West line of Hansen Road and a line parallel to and 10' Westerly of the West right-of-way line of the Minneapolis, Northfield and Southern Railroad.

We have indicated, on the attached sketch, the location of our facilities in this area. We wish to advise you that we have no objection to this reaction provided we are granted a permanent easement for the retention of our facilities or are reimbursed for rerouting them.

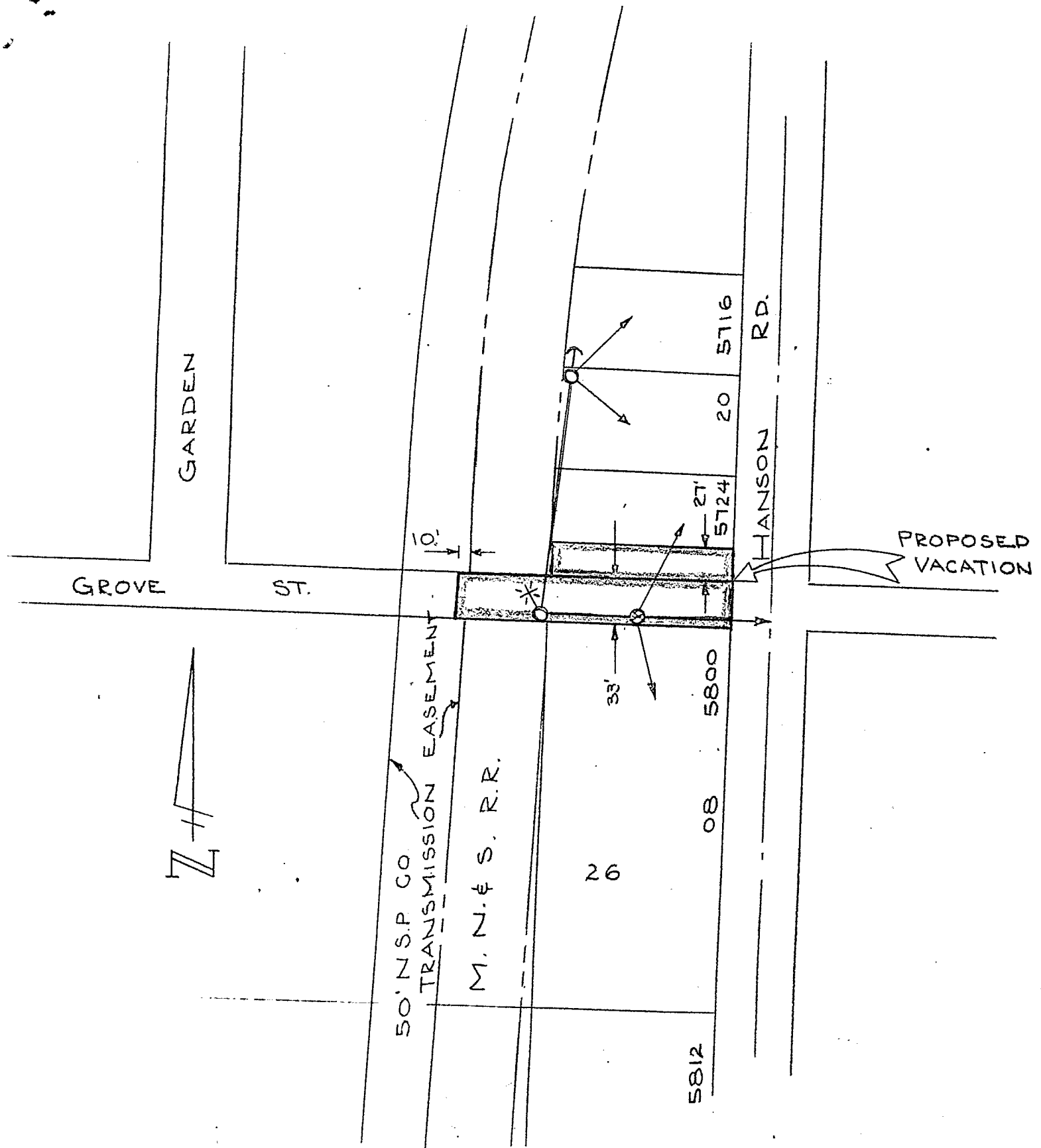
Thank you for your consideration in this regard.

Yours truly,

W.F. Laidlaw
Distribution Superintendent
Minneapolis Division

By George C. Lewis
George C. Lewis
Senior Right of Way Agent

WFL/GCL/mma



LEGEND					
	POLES NSP TEL	WIRE	ANCHOR	OVERHEAD GUY	STREET LIGHT
NEW	○ ⊗	—	→	↗	✱
EXISTING	○ ⊗	—	→	↗	✱
TO BE REMOVED	○ ⊗	✱✱	✱)	↗	✱✱

SEC. 32 TWP. 17 R. 21 VILLAGE OF EDINA HENNEP. CO.

NORTHERN STATES POWER CO.
ELECTRIC DISTRIBUTION DEPARTMENT
MINNEAPOLIS DIVISION

TITLE PROPOSED STREET VACATION
VILLAGE OF EDINA

SCALE 1"=100' DR BY R.D.P.
DATE 7-10-70 CHK. BY DAL
APPROVED BY W.F. [Signature] DISTR. SUPT.

DRAWING NO.
A-1105

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
VILLAGE OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting Village Clerk of the Village of Edina, Minnesota, hereby certify that on the following date
July 2, 19 70, acting on behalf of said Village I deposited
in the United States mail copies of the attached

NOTICE OF PUBLIC HEARING OF GROVE STREET VACATION

(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date 14 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

Name

Address

WITNESS my hand and the seal of said Village this 2nd day of
July 19 70

Marilee B. Hallberg
Edina Village Clerk

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING TO VACATE PORTION
OF GROVE STREET

EDINA VILLAGE COUNCIL will meet Monday, July 20, 1970, at 7:00 p.m. in the Edina Village Hall, and will at said time and place consider the proposed vacation of that portion of Grove Street described as follows:

The North 27' of Grove Street as platted from the West line of Hansen Road to the East right-of-way line of the Minneapolis, Northfield and Southern Railroad; and

The South 33' of Grove Street as platted, lying between the West line of Hansen Road and a line parallel to and 10' Westerly of the West right-of-way line of the Minneapolis, Northfield and Southern Railroad.

All objections and recommendations will be heard at said meeting.

BY ORDER OF THE VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk

Mailing List - Notice of Public Hearing
Grave St Vacation (over M & S R R)
July 20, 1970

E. V. Klopp's Sub.

Bel. L. C. R. Ries 5800 Hansen RD^v

Warden Acres

L25 Howard M. Green - 3728 N. E. Foss RD^v (18)

Emil P. Erickson Addr.

B. L. Emil P. Erickson 5724 Hansen RD.

M. & S R R. 911 Hennepin Ave.

attn: Mr. Innis McPherson^(B)

Residents on Grave St Between Hansen RD &
Johnson Dr. (5400 to 5600)

Hansen

5525	Fern A. Scheflo	
5405	Occupant	
5417	Chas. L. Seefeldt	✓
5425	Chris Mitgel	✓
5501	Lawrence W. Lissard	✓
5509	Curtis Austin	✓ (36)
5525	Mrs. Blanche Allen	✓
5500	John R. Borey	

Johnson Dr. 5709 James D. Moe

N. S. P.

Mpls Gas Co.
Russell

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING TO VACATE PORTION
OF GROVE STREET

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All objections and recommendations will be heard at said meeting.

BY ORDER OF THE VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk

Please publish in the Edina Sun on July 2, 1970.
Please send us two Affidavits of Publication.
Please send us ten clippings.

VILLAGE OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING TO VACATE PORTION
OF GROVE STREET

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All objections and recommendations will be heard at said meeting.

BY ORDER OF THE VILLAGE COUNCIL.

FLORENCE B. HALLBERG
Village Clerk

July 2, 1970

Street Vacation

The North 27' of Grove St as platted From the West line of Hansen Rd to the East R.O.W. line of the Minneapolis, North Field and Southern R.R.

The South 33' of Grove St. as platted ^{lying between} ~~from~~ the West line of Hansen Rd to ~~217.32' West~~ and a line parallel to and 10' Westerly of the West Right of Way line of the MN&S R.R.

By QKO & DSB

May 27, 1970

Mr. Thomas S. Erickson
Bozcoy, Marquardt, Windhorst, West & Halliday
2400 1st National Bank Bldg.
Minneapolis, Minn. 55402

Dear Tom:

Enclosed as you requested is a copy of the Order received from the
Public Service Commission for the closing of the Grove Street
crossing over the M.H. & S. R.R.

Yours very truly,

Village Clerk

enclosure

us

C
O
P
Y

DORSEY, MARQUART, WINDHORST, WEST & HALLADAY

JAMES E. DORSEY (1889-1959)

DONALD WEST
WALDO F. MARQUART
JOHN W. WINDHORST
HENRY HALLADAY
JULE M. HANNAFORD
ARTHUR B. WHITNEY
RUSSELL W. LINDQUIST
DAVID R. BRINK
HORACE HITCH
VIRGIL H. HILL
ROBERT V. TARBOX
DEFOREST SPENCER
ROBERT J. JOHNSON
H. B. HASSELOQUIST
PETER DORSEY
GEORGE R. FLANNERY
CURTIS L. ROY
ARTHUR E. WEISBERG
DUANE E. JOSEPH

FREDERICK E. LANGE
JAMES B. VESSEY
WILLIAM A. WHITLOCK
E. J. SCHWARTZBAUER
THOMAS M. BROWN
CORNELIUS D. MAHONEY
THOMAS S. ERICKSON
WILLIAM C. BARCOCK
MICHAEL E. BRESS
PAUL G. ZERBY
RAYMOND A. REISTER
JOHN J. TAYLOR
BERNARD G. HEINZEN
WILLIAM J. HEMPEL
JOHN S. HIBBS
ROBERT O. FLOTTEN
JOHN D. LEVINE
ROBERT J. STRUYK
MICHAEL A. OLSON

LAW OFFICES

2400 FIRST NATIONAL BANK BUILDING
MINNEAPOLIS, MINNESOTA 55402

TELEPHONE 333-2151

AREA CODE: 612

CABLE ADDRESS: DOROW

April 8, 1970

LARRY W. JOHNSON
THOMAS S. HAY
CURTIS D. FORSLUND
G. LARRY GRIFFITH
CRAIG A. BECK
DAVID L. McCUSKEY
THOMAS G. NOE
JAMES H. CHASAN
JOHN M. MASON
MICHAEL W. WRIGHT
LARRY L. VICKREY
LOREN R. KNOTT
PHILLIP H. MARTIN
JOHN J. HELD, JR.
REESE C. JOHNSON
JAMES T. HALVERSON
CHARLES J. HAUENSTEIN
CHARLES A. GEER
JOHN C. ZWADMAN

JOHN R. WICKS
EUGENE L. JOHNSON
ROBERT O. KNUTSON
JOHN W. WINDHORST, JR.
MICHAEL PRICHARD
WILLIAM R. SOTH
RICHARD G. SWANSON
RICHARD W. DUFOUR, JR.
FAITH L. OHMAN
DAVID A. RANHEIM
ROBERT J. SILVERMAN

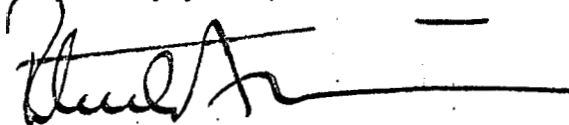
OF COUNSEL
DAVID E. BRONSON
LELAND W. SCOTT
LEAVITT R. BARKER

Mr. Robert C. Dunn
Director of Public Works
Village of Edina
4801 West 50th Street
Edina, Minnesota 55424

Dear Bob:

I enclose a copy of an Order received today from the Public Service Commission. I am rather surprised that no provision was made for allocation of any funds from the Highway Safety Account. You have the right to appeal the Public Service Commission decision to the District Court of Hennepin County. As I previously advised Mr. Hyde, I do not recommend that such an appeal be taken. The appeal rights expire on May 6th. Unless I receive further instructions from you I will regard the matter as closed.

Very truly yours,



Robert O. Flotten

ROF:gmm

Enclosure

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Rf

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MINNESOTA

Ronald L. Anderson	Chairman
P. Kenneth Peterson	Commissioner
Paul A. Rasmussen	Commissioner

IN THE MATTER OF THE PETITION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF EDINA REQUESTING THE MINNESOTA PUBLIC SERVICE
COMMISSION TO APPROVE THE RECONSTRUCTION OF THE OVERHEAD BRIDGE
CARRYING BENTON AVENUE OVER THE RIGHT OF WAY AND TRACKS OF THE
MINNEAPOLIS, NORTHFIELD AND SOUTHERN RAILWAY COMPANY IN THE
VILLAGE OF EDINA AND TO ALLOCATE THE COSTS OF SUCH RECONSTRUCTION.

R - 2823
D - 581

FINAL ORDER AFTER ORAL ARGUMENT

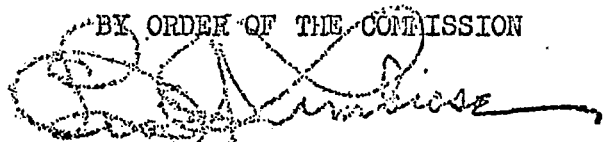
The Proposal for Decision and Order in the above entitled matter dated December 23, 1969, came on for oral argument before the Commission in its Office, 400 SE State Office Building, St. Paul, Minnesota, on Thursday, April 2nd, 1970, and the Commission, having given careful consideration to the arguments presented by counsel for the petitioner and the protestant, reaffirms its decision in said matter.

NOW, THEREFORE, IT IS ORDERED:

O R D E R

That the Order of the Commission dated December 23, 1969, be and the same herewith is made the final order of the Commission.

(S E A L)

BY ORDER OF THE COMMISSION

Leo J. Ambrose
Secretary

Dated at St. Paul, Minnesota,

APR 6 - 1970

29

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MINNESOTA

Ronald L. Anderson	Chairman
P. Kenneth Peterson	Commissioner
Paul A. Rasmussen	Commissioner

IN THE MATTER OF THE PETITION OF THE VILLAGE COUNCIL OF THE VILLAGE OF EDINA REQUESTING THE MINNESOTA PUBLIC SERVICE COMMISSION TO APPROVE THE RECONSTRUCTION OF THE OVERHEAD BRIDGE CARRYING BENTON AVENUE OVER THE RIGHT OF WAY AND TRACKS OF THE MINNEAPOLIS, NORTHFIELD AND SOUTHERN RAILWAY COMPANY IN THE VILLAGE OF EDINA AND TO ALLOCATE THE COSTS OF SUCH RECONSTRUCTION.

R - 2823
D - 581

PROPOSAL FOR DECISION AND ORDER

The Public Service Commission, pursuant to the provisions of Section 15.0421, M.S., hereby gives notice to all parties affected of its proposal for decision herein, including the statement of reasons therefor, as provided in the following proposed findings of fact and order.

Exceptions, if any, by any party adversely affected must be filed within twenty (20) days from the receipt hereof; and, if filed, an opportunity for argument thereon will be afforded.

If exceptions are not filed and oral argument thereon is not requested, this order will become final twenty (20) days from the date of receipt of this proposal.

FINDINGS OF FACT AND ORDER

The above entitled matter came on for hearing before the Commission in its offices, 400 SE State Office Building, St. Paul, Minnesota, pursuant to due notice given, on Tuesday, November 4, 1969, at 10:00 o'clock in the forenoon.

Presiding: Lee McNally, Chief Engineer, an employee of the Commission duly authorized to receive and report testimony.

Appearances: Robert O. Flotten, Attorney, appearing on behalf of the Village of Edina, petitioner; Gene F. Bennett, Attorney, appearing on behalf of the Minneapolis, Northfield and Southern Railway Company, probateant answerer as the hearing is concerned relating to Benton Avenue, and appearing to support of the petition as it relates to the closing of the Grove Street crossing.

The Commission having reviewed the testimony and having caused to be made a thorough investigation of the matter herein involved, hereby makes and files the following findings of fact and order:

F A C T S

I

That by letter dated August 6, 1969, and signed by Robert O. Flotten, its attorney, a certified copy of a resolution adopted by the Village Council of the Village of Edina requesting the Minnesota Public Service Commission to approve the reconstruction of the overhead bridge carrying Benton Avenue over the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company in the Village of Edina and to allocate the costs of such reconstruction between the Village of Edina and the Minneapolis, Northfield and Southern Railway Company, was submitted.

II

That by letter dated October 20, 1969, and signed by Robert O. Flotten, its attorney, the Village of Edina petitioned for authority to vacate and permanently close the grade crossing located at the point where Grove Street crosses the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company in the Village of Edina, and to allocate the costs of such vacating and closing, and further requested that the petition to close the Grove Street crossing be consolidated and heard with the petition for authority to reconstruct the overhead bridge carrying Benton Avenue over the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company in the Village of Edina.

III

That the Village and the Railway Company have informally agreed to share their own portion of the cost of closing the Grove Street crossing, that is, the Village will bear the cost of barricading the road and the Railway Company will defray the cost of removing the crossing and making whatever changes are necessary in connection with the drainage system.

IV

That the bridge carrying Benton Avenue over the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company was removed by the railway company in 1968 at the request of the Village of Edina.

V

That the Village of Edina has relocated and reconstructed Benton Avenue and crosses the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company by means of a new bridge which was constructed pursuant to contract let by the Village on September 9, 1968.

VI

That there was no agreement entered into between the Village of Edina and the Railway Company in connection with the construction of the new bridge nor was the Commission requested to order the construction of the new bridge and to allocate the cost of such construction before the bridge was actually installed.

VII

That it appears to the Commission that public convenience and necessity did require the reconstruction of Benton Avenue and the reconstruction of a bridge to carry Benton Avenue over the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company, and that had the petition for authority to make such changes been submitted to the Commission prior to the actual construction that the Commission would have approved the proposal.

VIII

That the cost of constructing the new bridge carrying Benton Avenue over the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company was \$106,566.38.

Now, Therefore, on the foregoing facts, IT IS HEREBY ORDERED:

O R D E R

I

That the petition of the Village of Edina for authority to abandon and remove the highway railroad grade crossing located at the point where Grove Street crosses the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company in the Village of Edina be and the same is hereby approved and that the cost of the abandonment and removal of such crossing shall be borne in accordance with the agreement reached between the Village of Edina and the Railway Company in regard thereto.

II

That the petition of the Village of Edina requesting the Minnesota Public Service Commission to approve the reconstruction or the construction of a bridge to carry Benton Avenue over the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company in the Village of Edina be and the same is hereby granted.

III

That the cost of the construction of the new bridge carrying Benton Avenue over the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company in the Village of Edina shall be borne as follows:

Actual Cost of Construction: \$106,566.38

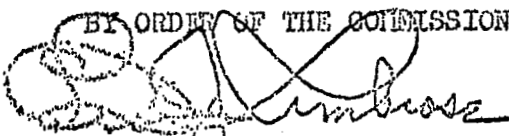
Portion of costs allocated to the Minneapolis, Northfield and Southern Railway Company, 10% of the actual cost of construction, or \$10,656.64

Portion of costs allocated to the Village of Edina, 90% of the actual cost of construction, or 95,909.74

IV

That the Village of Edina shall maintain the superstructure, and the Minneapolis, Northfield and Southern Railway Company shall maintain the substructure, including footings, piers and abutments, of the bridge carrying Benton Avenue over the right-of-way and tracks of the Minneapolis, Northfield and Southern Railway Company in the Village of Edina.

(S E A L)

BY ORDER OF THE COMMISSION

Leg J. Ambrose
Secretary

Dated at St. Paul, Minnesota,

MAY 23 1900